

“Defendant”, and together with the Trustee, the “Parties”), by and through their respective counsel, hereby stipulate and agree as follows, and based upon such stipulation, THE COURT HEREBY FINDS THAT:

WHEREAS, on April 22, 2016, the Trustee filed a complaint (the “Complaint”) commencing the above-captioned adversary proceeding (the “Adversary Proceeding”) against Defendant 360 MS seeking to recover \$503,000 from 360 MS pursuant to Sections 549 and 550(a)(1) of the Bankruptcy Code; and

WHEREAS, on September 30, 2016, the Defendant filed an answer (the “Answer”) to the Complaint.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the Parties:

1. The Adversary Proceeding be and hereby is dismissed with prejudice pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, made applicable by Rule 7041 of the Federal Rules of Bankruptcy Procedure.

2. Notwithstanding the dismissal with prejudice of the Adversary Proceeding, 360 MS agrees that it shall timely respond to the following discovery that was served on 360 MS on January 17, 2017: (i) the Trustee's First Requests for Admission to Defendant; (ii) the Trustee's First Request for Production of Documents to Defendant; and (iii) the Trustee's First Set of Interrogatories to Defendant.

Dated: January 27, 2017

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END OF STIPULATION AND ORDER OF DISMISSAL